

COMMISSION MEETING MINUTES
November 12, 2013

The Board of Davis County Commissioners met in room 303 of the Davis County Administration Building, Farmington, Utah on November 12, 2013. Members present were Commission Chair Pro-Tem Louenda H. Downs, Commissioner P. Bret Millburn, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil County Attorney Bill McGuire, and Deputy Clerk/Auditor Shauna Brady. Commissioner Petroff was excused.

Marlin Eldred, Davis County Community and Economic Development Department, led the Pledge of Allegiance. All in attendance were invited to stand and join in.

Clerk/Auditor Steve S. Rawlings presented information on an audit of the Davis Conference Center (DCC), the Davis Area Conventions and Visitors Bureau (DACVB) and the Legacy Events Center (LEC) for the period from January 1, 2009 through June 30, 2013. At the request of the Davis County Commissioners to the Clerk/Auditor, the audit was conducted by Wisan, Smith, Racker & Prescott, LLP, and was delivered to them on October 15, 2013. Mr. Rawlings began by reading a letter to the Davis County Commissioners from Wisan, Smith, Racker & Prescott, LLP, introducing the findings of the performance audit, followed by the firm's recommendations.

The first recommendation is as follows: Davis County should not renew its contract with the DACVB. We recommend that the following options be pursued to provide the tourism and convention promotional services to Davis County:

- 1) Bring the work back into the County government structure by developing the capacity to market tourism and convention business with County employees.
- 2) Put the contract for tourism and convention promotion out for bid by issuing an RFP to all interested and qualified parties.

The principle reasons for this recommendation are as follows:

- A) DACVB has not complied with the terms of the contract to focus on marketing the Davis Conference Center in the 14 month and out category.
- B) DACVB has not complied with the terms of the contract that require \$100,000 of new business 14 month and out for the County venues annually.
- C) The inability to develop and sustain a strategic direction with the principle partners in the marketing of the Davis Conference Center and Legacy Events Center as called for in the contract.
- D) The lack of cooperation and effective communication with the partners of the venues.

Commissioner Downs responded with information regarding the audit, the methodology used to conduct it, and objectives in the audit scope including:

- The marketing and accounting for new business developed during the past five years
- Time spent
- Annual appropriation
- Numbers of signed contracts obtained
- The actual cost to produce a lead
- What it costs to generate a contracted piece of business
- Total dollar amounts realized by County owned venues
- Full time equivalents spent to develop meetings and conventions
- Marketing strategy used to develop meetings and conventions

- Review of the strategy and looking at historical room nights
- Historical budgets
- Events held during the past five years

Commissioner Downs stressed continued funding to the DACVB was to be contingent upon the Return on Investment (ROI) of tax dollars as evidenced in achieving measurable goals; however, per the audit, performance goals have fallen significantly short. As stewards of County funds with responsibility to the taxpayers, the audit was requested to ensure these funds are being used appropriately. As the audit suggests, Davis County will not be renewing the Davis Area Convention and Visitors Bureau contract. Davis County is discussing what type of conventions and visitors type organization will be put in place to meet the County's objectives in developing new group business in that arena while focusing significantly less on general tourism. Following the meeting, copies of the audit were made available for public review.

Commissioner Millburn reiterated that as a responsible steward to taxpayers, it is the Commission's responsibility to see that taxpayer dollars are spent in the most efficient manner and is the basis of the Commission's decision to not renew the DACVB contract. Commissioner Downs stated that because it is not an action item, this presentation/informational agenda item would not require a vote. Public comments are welcome at the end of the agenda.

Marlin Eldred, Davis County Community and Economic Development Department, presented the following:

Gala Wrap-up: The 2013 Davis County Gala, "The Love Boat," was attended by over 700. The 2013 recipients of the charitable funds are the Boys and Girls Clubs of Weber-Davis. Marlin presented a donation request in the amount of \$40,000.00 to the Boys and Girls Clubs of Weber-Davis. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Boys and Girls Clubs of Weber-Davis board members Robert Bischoff, John Cordova, Joyce Brown and executive director Judy Kasten Bell were introduced and accepted the donation. Marlin also recognized the efforts of the Davis Conference Center employees for their efforts in making the Gala a great event.

Tourism Tax Advisory Board Appointments: As Davis County has imposed a transient room tax, tourism, recreational, cultural and convention tax on restaurant facilities, a Tourism Tax Advisory Board is established to advise the County Commission on annual available funds. The Tourism Tax Advisory Board requested Andy Pettingill, Bruce Lloyd, Craig Shiner, Angel Manfredini and Kym Buttschardt be re-appointed as board members. Board members must be a resident of Davis County and/or must be currently employed in and have prior or current experience in a tourism related business. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Mike Moake, Davis County Legacy Events Center Marketing, presented agreement #2013-557 with the Irish Water Spaniels Club of America in the amount of \$3,675.00 to hold events at the Legacy Events Center April 25 through April 29, 2014. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Chief Deputy Kevin Fielding, Davis County Sheriff's Office, presented the following:

Agreement #2013-558 with Corinthian Colleges Inc., dba Everest College, allows nursing students to intern at Davis County Jail for one year. The agreement will shall automatically renew for additional one-year periods. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Agreement #2013-559 with Wall to Wall Media Ltd. authorizes filming of employees at the Davis County Sheriff's Department premises in Farmington and off-premise work for a time period to be determined for production of a film tracing individual stories and personal testimony key points along the supply chains behind the world's most devastating drugs. Contract amount is \$1.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Grant Application #2013-560 to Vested Interest in K9s, Inc. to receive bullet and stab protective vests for the County's law enforcement K9s. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Lewis Garrett, Davis County Health Department Director, presented the following:

Amendment #2012-357A with the Utah Department of Health to increase funding for the Biosense project. The contract period is from September 1, 2013 through August 31, 2014. Contracted amount for the 2014 budget is \$23,164.00. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Agreement #2013-561 with the Utah Department of Health FY 2013-2018 local health department general provisions, assurances and matching requirements from July 1, 2013 through June 30, 2014. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Agreement #2013-562 with CLM Innovations, a Utah State approved vendor of services for food handler training. The receivable amount is \$15.00 per successful trainee. The term of the contract may be terminated at any time by either party for justifiable cause. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Memorandum of Understanding #2013-563 with Kaysville City Corporation representing a collaboration in offering art and recreational classes to senior citizens and other interested individuals at the Autumn Glow Senior Activity Center. Autumn Glow will provide the meeting room space and the city will provide the art programs and other recreational classes to the public. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Agreement #2013-564 with the University of Utah, College of Pharmacy, and Utah Poison Control Center to provide poison prevention and awareness education throughout our health district. The receivable amount is \$2,500.00. The contract period is September 1, 2013 through August 31, 2014. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn made a motion to convene as the Board of Equalization. Commissioner Downs seconded the motion. All voted aye.

Cherie Mayer, Property Tax Administration, presented the Property Tax Register. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene the regular Commission Meeting. Commissioner Downs seconded the motion. All voted aye.

Commissioner Millburn requested the Commission Meeting Minutes of the November 5, 2013 meeting be held.

Commissioner Millburn made a motion to approve the Personnel Register. Commissioner Downs seconded the motion. All voted aye.

Check registers as prepared by the Davis County Clerk/Auditor’s Office were approved with a motion from Commissioner Millburn. Commissioner Downs seconded the motion. All voted aye. Documents are on file in the office of the Davis County Clerk/Auditor.

Commissioner Millburn acknowledged that the audit recommendations have an impact on a lot of folks, both staff and volunteers, and expressed appreciation for their service. As Commissioners, they do not take the actions as a result of the audit lightly. A lot of thought and insight were given to arrive at their conclusion. He reiterated that as stewards of public funds, he firmly believes the Commission’s recommendations are appropriate. Commissioner Downs concurred and thanked all for their efforts in conducting the audit.

Public Comment: Grant Dahlstrom, member-Davis Area Convention and Visitors Bureau Board of Trustees, posed the question: Is it possible to share why the offer by the DACVB to participate in re-writing the contract as a solution was refused by the Commission? Commissioner Downs responded that option is not a piece of the audit, the agenda today is to receive and act upon the audit; however, it may be possible to have that discussion at a later and more appropriate time.

Commissioner Millburn made a motion to move into closed session according to Utah Code Annotated (UCA) 52-4-205(1) (a) discussion of deployment of security devices or systems. Commissioner Downs seconded the motion. All voted aye.

Commissioner Millburn made a motion to reconvene the regular Commission Meeting. Commissioner Downs seconded the motion. All voted aye.

A vote was taken to approve the item discussed in the closed session. Commissioner Millburn made a motion to approve. Commissioner Downs seconded the motion. All voted aye.

Meeting adjourned.

Clerk

Chair